

Adopted at Meeting of 5/ 2/68

May 2, 1968

MEMORANDUM :

TO: Boston Redevelopment Authority
 FROM: Hale Champion, Development Administrator
 SUBJECT: BOARD OF APPEAL REFERRALS

Re: Petitions Nos. Z-1115 & Z-1116
 Richard A. Campana
 680 & 684 Massachusetts Ave., Boston

Petitioner seeks two variances to change occupancy of both structures from lodging house to five apartments in an Apartment (H-2) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1	Usable open space is insufficient (#680)	150 sq.ft.	78 sq.ft.
Sect. 17-1	Usable open space is insufficient (#684)	150 sq.ft.	133 sq.ft.

The two four-story brick buildings are located on Massachusetts Avenue between Harrison Avenue and Washington Street. The structures would be completely modernized and rehabilitated and would enhance the neighborhood. The South End Project staff has no objection. Approval is recommended.

VOTED: That in connection with Petitions Nos. Z-1115 & Z-1116, brought by Richard A. Campana, 680 & 684 Massachusetts Avenue, Boston, for variances of insufficient open space to change the occupancy of both structures from lodging house to five apartments in an Apartment (H-2) district, the Boston Redevelopment Authority has no objection to the granting of the petitions. The proposal, which would enhance the neighborhood, conforms to the objectives of the South End Urban Renewal Plan.

Re: Petitions Nos. Z-1117 & Z-1118
 Catherine J. Neagle
 15-17-17A Melba Way, Hyde Park

Petitioner seeks five variances to subdivide two lots and erect two one-family dwellings in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 14-3	Lot width is insufficient (#17)	60 ft.	44 ft.
Sect. 14-4	Lot frontage is insufficient (#17)	60 ft.	44 ft.
Sect. 14-4	Access of lot is insufficient (#17A)	20 ft.	12 ft.
Sect. 18-1	Front yard is insufficient (#17A)	25 ft.	10 ft.
Sect. 20-1	Rear yard is insufficient (#17A)	40 ft.	10 ft.

The property, containing a one-family dwelling and one vacant lot, is located at the intersection of Melba Way and Safford Street. The petitioner proposes to subdivide the lots in the rear, which are 200 feet deep, in order to create a third lot. The lots will contain sufficient land to support the existing and two proposed dwellings. The proposal is reasonable and would not adversely affect the neighborhood. Approval is recommended.

VOTED: That in connection with Petitions Nos. Z-1117 & Z-1118, brought by Catherine J. Neagle, 17-17A Melba Way, Hyde Park, for variances of insufficient lot width, lot frontage, lot access, front and rear yards, to subdivide two lots to create a third lot and to erect two one-family dwellings in a Single Family district, the Boston Redevelopment Authority has no objection to the granting of the petition. The proposal is reasonable and will not adversely affect the neighborhood.

Re: Petition No. Z-1119
Barbara Nutley
1520 Columbia Road, South Boston

Petitioner seeks a variance to change occupancy from a store and garage to a private club in an Apartment (H-2) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A private club in an H-2 zone requires Board of Appeal approval		
Sect. 23-2	Off-street parking is not provided	10 spaces	0

The property, an abandoned one-story structure, is located at the intersection of Columbia Road and I Street, opposite Carson Beach. The structure, formerly a refreshment stand, would be utilized as a private social and athletic club (limited to 40) whose members sponsor various youth activities in South Boston. The petitioner indicates that only staff meetings will be held at the club. The sponsored activities are usually held at other locations (i.e., playgrounds). Members of the club are local residents who live within walking distance and, therefore, will not necessarily need the required off-street parking spaces. The proposed use of this structure will not adversely affect the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1119, brought by Barbara Nutley, 1520 Columbia Road, South Boston, for a variance of off-street parking not provided, to change occupancy from a store and garage to a private club in an Apartment (H-2) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The proposal will not adversely affect the neighborhood as the abandoned building will be restored and occupied by local resident members of the club who sponsor various youth activities in the area.

Re: Petitions Nos. Z-1120-Z-1121
 Gilmore G. Gessner
 1000 VFW Parkway & 25 Capital Street,
 West Roxbury

Petitioner seeks two forbidden uses and several variances to erect a three-story and basement 28-unit apartment building and use premises for parking cars in a Single Family (S-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-7	A multi-family dwelling is forbidden in an S-.5 district (VFW Parkway)		
Sect. 10-1	Off-street parking not allowed in front yard or within 5 feet of side lot line		
Sect. 14-2	Minimum lot area for additional dwelling unit is insufficient	4000 sq.ft.	350 sq.ft.
Sect. 15-1	Floor area ratio is excessive	0.5	1.26
Sect. 16-1	Height of building is excessive	2½ stories	3 stories
		35 ft.	33 ft.
Sect. 18-1	Front yard is insufficient (VFW Pkwy)	30 ft.	15 ft.
Sect. 18-4	Front yard is insufficient (Capital St.)	30 ft.	26 ft.
Sect. 23-1	Off-street parking is insufficient	28 spaces	21 spaces
Sect. 8-7	A parking lot is forbidden in an S-.5 zone (Capital St.)		
Sect. 10-1	Off-street parking not allowed in front yard		
Sect. 14-1	Minimum lot area is insufficient	6000 sq.ft.	3850 sq.ft.
Sect. 14-3	Lot width is insufficient	60 ft.	50 ft.
Sect. 15-1	Floor area ratio is excessive	.5	.6
Sect. 18-1	Front yard is insufficient (Capital St.)	30 ft.	5 ft.
Sect. 18-4	Front yard is insufficient (VFW Pkwy)	30 ft.	2 ft.
Sect. 19-1	Side yard is insufficient	12 ft.	5 ft.

The property, vacant land on the southerly side of VFW Parkway, is a short distance from the intersection of the VFW Parkway and Baker Street. The surrounding area

is generally undeveloped except for the Star of David Nursing Home which was recently constructed and occupied. The property is designated for single family low density use and the numerous violations reflect an overdevelopment of the land. The proposed apartment structure could generate considerable traffic problems on the heavily travelled parkway. It is the opinion of the staff that the proposal would have a detrimental affect upon the single family and parkway character of the area. Recommend denial.

VOTED: That in connection with Petitions No. Z-1120-Z-1121, brought by Gilmore G. Gessner, 1000 VFW Parkway and 25 Capital Street, West Roxbury, for two forbidden uses and variances of off-street parking not allowed in front yard or within five feet of side lot line, insufficient lot area for additional dwelling unit, front yard, side yard, lot area, lot width, off-street parking, excessive floor area ratio and building height to erect a three-story and basement 28-unit apartment building and use of premises to park cars in a Single Family (S-.5) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The proposal is incompatible with and would have a detrimental affect on the single family and parkway character of the area.

Re: Petition No. Z-1122
University Hospital
750 Harrison Avenue, Boston

Petitioner seeks five variances to erect a nine-story addition to its existing medical building in an Apartment (H-3) district. The proposal would violate the code as follows:

	Req'd.	Proposed
Sect. 15-1 Floor area ratio is excessive	3.0	5.1
Sect. 18-4 Front yard is insufficient	15 ft.	0
Sect. 19-4 Side yard is insufficient	15 ft.	.39
Sect. 20-1 Rear yard is insufficient	30 ft.	25 ft.
Sect. 23-3 Off-street parking is insufficient	310 spaces	0

The site is located at the intersection of Harrison Avenue and East Newton Street. The petitioner has failed to submit a master plan of its proposed medical complex for the South End Project staff review and, as a result, the project staff has not submitted a recommendation on this proposal. The zoning staff is of the opinion that the petition should be denied until such plan is submitted for review. Denial is recommended.

VOTED: That in connection with Petition No. Z-1122, brought by University Hospital, 750 Harrison Avenue, Boston, for variances of excessive floor area ratio, insufficient front, side, rear yards and off-street parking to erect a nine-story addition to its existing medical building in an Apartment (H-3) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The Authority recommends that the petitioner submit a master plan of its medical complex for the South End Project staff review.

Re: Petition No. Z-1123
Thomas M. Ford
13 Allston Street, Dorchester

Petitioner seeks a variance to change occupancy from one to two families in a Residential (R-.5) district. The proposal would violate the code as follows:

<u>Req'd.</u>	<u>Proposed</u>
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Sect. 14-2 Lot area for additional dwelling unit
is insufficient

3000 sq.ft./du 2020sq.ft./du

The property, a two-story frame structure, is located at the intersection of Allston and Sharp Streets. There are several two and three-family residences in the area. The proposal would not be detrimental to the residential nature of the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1123, brought by Thomas M. Ford, 13 Allston Street, Dorchester, for a variance of lot area for additional dwelling unit to change occupancy from one to two families in a Residential (R-.5) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The proposed conversion would not have a detrimental affect on the residential nature of the neighborhood.

Re: Petition No. Z-1124
Eluned McLaren Millar
42 West Cedar Street, Boston

Petitioner seeks a variance to change occupancy from one to two families in an Apartment (H-2-65) district. The proposal would violate the code as follows:

<u>Req'd.</u>	<u>Proposed</u>
150 sq.ft.	0

Sect. 17-1 Usable open space not provided

The property, a 3½ story brick structure, is located at the corner of West Cedar and Pinckney Streets. The violation of usable open space is practically impossible to satisfy since the existing building covers the entire lot area. This problem is common throughout the Beacon Hill district and the requirement should be relaxed in order to permit a desirable change of occupancy. Recommend approval.

VOTED: That in connection with Petition No. Z-1124, brought by Eluned McLaren Millar, 42 West Cedar Street, Boston, for a variance of open space not provided to change occupancy from one to two families in an apartment (H-2-65) district, the Boston Redevelopment Authority has no objection to the granting of the petition. It is practically impossible to comply with the open space requirement in this neighborhood. All other requirements of the code have been met and the change of occupancy is desirable.

Re: Petition No. Z-1125

J. E. Daniels

206 West Brookline Street, Boston

Petitioner seeks a variance to change occupancy from a store and three families to four families in an Apartment (H-2) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Usable open space is insufficient	150 sq.ft.	0

This five-story brick structure is located at the intersection of West Brookline Street and Warren Avenue. The petitioner received a permit in 1967 to convert a lodging house (20 lodgers) to three families and a store. He presently proposes to convert the substandard store to a fourth apartment. The petitioner is unable to comply with the open space requirement as the existing building covers 95% of the lot. The South End Project staff has no objection. Approval is recommended.

VOTED: That in connection with Petition No. Z-1125, brought by J. E. Daniels, 206 West Brookline Street, Boston, for a variance of insufficient open space to change occupancy from a store and three families to four families in an Apartment (H-2) district, the Boston Redevelopment Authority has no objection to the granting of the petition. A substandard store would be rehabilitated and converted to a fourth apartment. The proposal conforms to the objectives of the South End Urban Renewal Plan.

Re: Petition No. Z-1126

Garland Junior College

419 Commonwealth Avenue, Boston

Petitioner seeks an extension of a conditional use and a variance to erect a one-story addition in an Apartment (H-5) district. The proposal would violate the

code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 8-6 An addition to a pre-existing conditional use requires a Board of Appeal hearing		
Sect. 18-4 Front yard is insufficient	15 ft.	0

The property, a four story brick building occupied as a library-dormitory, is located at the intersection of Commonwealth Avenue and Charlesgate East. The proposed extension, to be utilized as a utility, storage and workshop, would be erected in the rear yard and enclosed by a retaining wall. The Back Bay Project staff reports that the proposal is reasonable and conforms to the objectives of the Back Bay Plan. Recommend approval.

VOTED: That in connection with Petition No. Z-1126, brought by Garland Junior College, 419 Commonwealth Avenue, Boston, for an extension of a Conditional Use and a variance of insufficient front yard to erect a one-story addition in an Apartment (H-5) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The proposal is a reasonable use of land and conforms to the objectives of the Back Bay Plan.

Re: Petition No. Z-1127
Lee Ging
265 Shawmut Avenue, Boston

Petitioner seeks a variance of insufficient open space to change occupancy from three families and a lodging house to four families in an Apartment (H-2) district. The proposal would violate the code as follows:

	<u>Req'd.</u>	<u>Proposed</u>
Sect. 17-1 Usable open space is insufficient	150 sq.ft.	108 sq.ft.

This four story brick structure is located on Shawmut Avenue between Hanson and Milford Streets. The present occupancy of three families and six lodgers would be converted to four apartments for occupancy by South End relocatees. The South End Project staff reports that the proposal would decrease transient lodgers in the area and conforms to the objectives of the South End Plan. Recommend Approval.

VOTED: That in connection with Petition No. Z-1127, brought by Lee Ging, 265 Shawmut Avenue, Boston, for a variance of insufficient open space to change occupancy from three families and a lodging house to four families in an Apartment (H-2) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The apartment will be occupied by South End relocated families. The proposal conforms to the objectives of the South End Urban Renewal Plan.

Re: Petition No. Z-1128
Greater Boston YMCA
470 Washington Street, Brighton

Petitioner seeks an extension of a non-conforming use and two variances to erect a one-story masonry addition in a Residential (R-.5) and Local Business (L-.5) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 9-1	The extension of a non-conforming use requires Board of Appeal approval		
Sect. 20-1	Rear yard is insufficient	20 ft.	11 ft.
Sect. 23-2	Off-street parking is insufficient	54 spaces	38 spaces

The site is located near Lake Street to the front of Rogers Park. The petitioner proposes to demolish a 2½ story dwelling and erect an indoor swimming pool facility with locker rooms and showers. The rear yard violation is minimal. The majority of the youth membership live within walking distance of the facility and, therefore, should not require the necessary parking spaces. The proposal would provide a beneficial facility to the neighborhood. Recommend approval.

VOTED: That in connection with Petition No. Z-1128, brought by Greater Boston YMCA, 470 Washington Street, Brighton, for an extension of a non-conforming use and variances of insufficient rear yard and off-street parking to erect a one-story addition in a Residential (R-.5) and Local Business (L-.5) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The new indoor swimming facility would be a significant contribution to the community's recreational resources.

Re: Petition No. Z-1129
Irene Flaherty
540 East Broadway, South Boston

Petitioner seeks seven variances to erect a three-story 22-unit apartment building in an Apartment (H-1) district. The proposal would violate the code as follows:

		<u>Req'd.</u>	<u>Proposed</u>
Sect. 10-1	Parking is not allowed in the front yard		
Sect. 14-2	Lot area for additional dwelling unit is insufficient	1000 sq.ft./du	0
Sect. 15-1	Floor area ratio is excessive	1.0	1.3
Sect. 17-1	Usable open space is insufficient	400 sq.ft.	171 sq.ft.
Sect. 19-4	Side yard is insufficient	11.2 ft.	6 ft.
Sect. 20-4	Rear yard is insufficient	30 ft.	10.6 ft.
Sect. 23-1	Off-street parking is insufficient	19 spaces	16 spaces

This vacant lot is located on East Broadway between G & H Streets and opposite the

South Boston Municipal Building. The violations reflect considerable overcrowding of the lot. The proposal is incompatible with the general character of the neighborhood. Lack of off-street parking would create a serious problem on adjacent streets. Denial is recommended.

VOTED: That in connection with Petition No. Z-1129, brought by Irene Flaherty, 540 East Broadway, South Boston, for variances of parking not allowed in front yard, insufficient lot area for additional dwelling unit, open space, side yard, rear yard, off-street parking and excessive floor area ratio to erect a three-story 22-unit apartment building in an Apartment (H-1) district, the Boston Redevelopment Authority is opposed to the granting of the petition. The several variances indicate that the proposal is not in harmony with the general purpose and intent of the code.

Re: Petition No. Z-1130
Leo E. Murphy
15 Bradeen Street, Roslindale

Petitioner seeks a variance to change occupancy from one to two families and erect a one-story addition in a Residential (R-.8) district. The proposal would violate the code as follows:

Sect. 14-2 Lot area for additional dwelling unit is insufficient

Req'd. Proposed

2000 sq.ft./du 564 sq.ft./du

The petitioner apparently contracted in good faith to erect a one-story addition to his one family dwelling. Inspection by the Building Department revealed the permit to be technically invalid and although the addition has been erected the petitioner is required to obtain another permit. The addition does not adversely affect the area. Recommend approval.

VOTED: That in connection with Petition No. Z-1130, brought by Leo E. Murphy, 15 Bradeen Street, Roslindale, for a variance of insufficient lot area for additional dwelling unit to change occupancy from one to two families and erect a one story addition in a Residential (R-.8) district, the Boston Redevelopment Authority has no objection to the granting of the petition. The addition was apparently erected by the petitioner without knowledge of a proper permit. Many similar lots exist in the immediate neighborhood.

